C. Remarks

The claims are 9-15, with claims 9, 11 and 15 being independent. Claims 1-6 and 8 have been cancelled without prejudice or disclaimer. No new matter has been added.

Initially, as a formal matter, Applicants again respectfully request the Examiner to provide written confirmation that the articles listed on the PTO-1449 forms filed on December 15, 2003 have been considered. Since copies of these articles were filed in parent Application No. 10/237,174 on July 14, 2003 and were considered in that case,[1] in accordance with the provisions of 37 C.F.R. § 1.98(d) Applicants need not resubmit them in order to be considered in the present application.

Claims 1, 8 and 14 stand rejected under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite. Specifically, the Examiner alleged that it is not clear how component (b), which is fuel grade ethanol, can contain at least 99.5% ethanol.

Fuel grade ethanol is not necessarily 100% pure ethanol and can contain a minor amount of impurities (e.g., water). Thus, claim 14 specifies the minimum amount of ethanol in the fuel grade ethanol component (b).[2] Therefore, withdrawal of this rejection is respectfully requested.

Claims 1-3, 6 and 8 stand rejected under 35 U.S.C. § 103(a) as being allegedly obvious from U.S. Patent No. 5,688,295 (Yang). Claims 1-6 and 8 stand rejected under 35 U.S.C. § 103(a) as being allegedly obvious from U.S. Patent No. 5,697,987

1/ Copy of the initialed PTO-1449 forms from the parent application are submitted herewith.

2/ Since claims 1 and 8 have been cancelled, these claims are not addressed.

(Paul).

Claims 1-6 and 8 have all been cancelled, and the remaining claims are seen to be in condition for allowance for the reasons noted above and the Examiner's indication of allowance on page 5 of the Office Action. The foregoing actions have been taken without prejudice or disclaimer of subject matter, and without conceding correctness of the rejections, but rather strictly to obtain an earlier allowance and to expedite issuance.

Wherefore, in view of the foregoing amendments and remarks, expedient passage to issue of the present application is respectfully requested.

This Amendment should be entered, because it fully complies with the provisions of 37 C.F.R. § 1.116.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

LIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

ATTY DOCKET NO.	APPLICATION NO.
02605.000200	10/237,174
APPLICANT: Angelica Hull et al.	
FILING DATE: September 9, 2002	GROUP: 1714

U.S. PATENT DOCUMENTS

INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
CDT		4,398,920	08/16/83	Guibet et al.	44	56	
		4,207,076	01/10/80	Bove et al.	44	56	
		4,541,836	09/17/85	Derderian	44	53	
		2,365,009	12/12/44	Robertson	44	43	
		44,68,233	08/28/84	Bruderreck et al.	44	56	
		4,818,250	04/04/89	Whitworth	44	62	
		5,015,356	05/14/91	Talbert	208	16	
CDT		5,433,756	07/18/95	Gonzalez	44	340	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
CDT	WO	94/21753	09/29/94	WIPO			Abstract
	FR	2 500 844	09/03/82	France			Abstract
	EP	0171440 A1	02/19/86	EPO			Abstract
	EP	0121089 A1	10/10/84	EPO			Abstract
	CN	1044489	08/08/90	China			Abstract
	ES	2 012 729	04/01/90	Spain			Abstract
	WO	99/35215 A2	07/15/99	WIPO			
	GB	2090612 A	07/14/82	Great Britain			
CDT	WO	97/43356	11/20/97	WIPO			

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

CDT		F. Karaosmanoglu et al., "The Effects of Blending Agents on Alcohol-Gasoline Fuels," 66 J. Inst. Energy 9-12 (1993).

EXAMINER: [signature] DATE CONSIDERED 11/03 & 1/04

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form #62

FORM PTO 1449 (*modified*)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

LIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

ATTY DOCKET NO.	APPLICATION NO.
02605.000200	10/237,174
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
CDT		5,607,486	03/04/97	Wilkins, Jr.	44	307	
		5,688,295	11/18/97	Yang	44	320	
		5,697,987	12/16/97	Paul	44	352	
		5,290,325	03/01/94	Kanne et al.	44	400	
		5,697,987	12/16/97	Paul	44	352	
		3,082,070	03/19/63	Eckert	44	385	
		6,039,772	03/21/00	Orr	44	359	
		4,444,565	04/24/84	Croudace	44	386	
		5,968,211	10/19/99	Schilowitz	44	402	
		4,328,004	05/04/82	Globus	44	56	
		2,104,021	01/04/38	Callis	44	9	
CDT		2002/0026744 A1	03/07/02	Golubkov et al.	44	436	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
CDT	WO	01/53437 A1	07/24/01	WIPO			

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

CDT		A. Schmidt, "Use of 95 %-Ethanol in Mixtures With Gasoline," Energy From Biomass, 1st E.C. Conference, pp. 928-933 (1980).
		D. Zudkevitch et al., "Thermodynamics of Reformulated Automotive Fuels," 74(6) Hydrocarbon Processing 93-100 (1995).
CDT		Frank W. Cox, "The Physical Properties of gasoline/Alcohol Automotive Fuels," Proceedings of Third International Symposium on Alcohol Fuels Technology II-22, pp. 1-14 (1980).

EXAMINER: CDT DATE CONSIDERED 11/03 & 1/04

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 2 of 2

Form #62

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